

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

SCOTT JOHNSON,  
Plaintiff,  
v.  
BMB INC., et al.,  
Defendants.

Case No.18-cv-03636-VKD

**ORDER TO SHOW CAUSE RE  
SETTLEMENT**

Re: Dkt. No. 23

The Court being informed that the parties have settled this matter, all previously scheduled deadlines and appearances are vacated.

On or before **April 26, 2019**, the parties shall file a dismissal pursuant to Fed. R. Civ. P. 41(a)(1). Rule 41(a)(1) permits a plaintiff to voluntarily dismiss a case without a court order (i) by notice if the defendants have not filed an answer or motion for summary judgment, or (ii) by stipulation signed by all parties who have appeared. Because defendants answered the complaint, plaintiff may not voluntarily dismiss this case absent a stipulation also signed by defendants or an order from the Court.

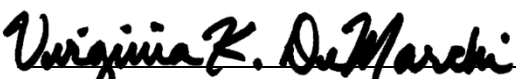
If a dismissal is not filed by the specified date, then the parties shall appear in Courtroom 2, 5th Floor of the United States District Court, 280 South First Street, San Jose, California on **May 7, 2019, 10:00 a.m.** and show cause, if any, why the case should not be dismissed pursuant to Fed. R. Civ. P. 41(a). Additionally, the parties shall file a statement in response to this Order to Show Cause no later than **April 30, 2019** advising as to (1) the status of their activities in finalizing settlement; and (2) how much additional time, if any, is requested to finalize the settlement and file the dismissal.

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If a dismissal is filed as ordered, the Order to Show Cause hearing will be automatically vacated and the parties need not file a statement in response to this Order.

**IT IS SO ORDERED.**

Dated: February 26, 2019

  
VIRGINIA K. DEMARCHI  
United States Magistrate Judge